

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE: BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

THIS DOCUMENT RELATES TO:

Karen Potter (0:17-cv-04881-JNE-DTS)  
Renate Edwards (0:17-cv-04891- JNE-DTS)  
Todd Johnston (0:17-cv-05270- JNE-DTS)  
Willard Billings (0:17-cv-05277- JNE-DTS)  
Anne Bresnock (0:17-cv-05371- JNE-DTS)  
Bertha Swales (0:18-cv-00045- JNE-DTS)  
Jean Collins (18-cv-01175-JNE-DTS)  
Connie Winegar (18-cv-01283-JNE-DTS)

**DECLARATION OF DANIEL C. BURKE IN SUPPORT OF PLAINTIFFS’  
OPPOSITION TO DEFENDANTS’ MOTION TO DISMISS**

I, Daniel C. Burke, declare as follows:

1. I am an attorney at Bernstein Liebhard LLP, counsel of record for Plaintiffs  
in the above-captioned matters.
2. I submit this declaration in opposition to Defendants’ Motion to Dismiss  
for Failure to Comply with PTO 14.
3. Plaintiffs Fact Sheets for the *Potter, Edwards, Johnston, Billings, Bresnock,*  
*Swales* matters have been served upon Defendants in accordance with PTO  
14.

4. Amended Plaintiffs Fact Sheets for the *Potter, Edwards, Johnston, Billings, Bresnock, Swales* matters have been served upon Defendants in accordance with PTO 14.
5. Staff and attorneys at Bernstein Liebhard LLP attempted to contact Plaintiffs Jean Collins and Connie Winegar via phone calls, emails, and letters to attempt to obtain information to complete Plaintiffs Fact Sheets.
6. To date, Bernstein Liebhard LLP was unable to reach Plaintiffs Jean Collins and Connie Winegar through these communication attempts.

Pursuant to 28 U.S.C. § 1746(2), I declare under the penalty of perjury that the foregoing is true and correct.

DATED: October 11, 2018

/s/ Daniel C. Burke  
Daniel C. Burke